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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,911	09/22/2003	Elliot N. Linzer	03-1089 1496.00325	9918

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LSI LOGIC CORPORATION
1621 BARBER LANE
MS: D-106
MILPITAS, CA 95035

EXAMINER

DESIR, JEAN WICEL

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 11/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/667,911

Applicant(s)

LINZER, ELLIOT N.

Examiner

Jean W. Désir

Art Unit

2622

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 October 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Response to Arguments.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.



DAVID OMETZ
SUPERVISORY PATENT EXAMINER

Response to Arguments

Applicant's arguments filed 10/20/06 (RESPONSE AFTER FINAL) have been fully considered but they are not persuasive.

Applicants argue on pages 9-11 of the REMARKS that Dujmenovic does not disclose or suggest -a first circuit configured to receive an encoded video signal at a first input and to present a decoded video signal at a first output- because "the video decoder 114 of Dujmenovic receives two separate video input signals, a first video signal on a first frequency and a second video signal on a second frequency, which are time division multiplexed by the tuner 110 at a single input". These arguments are not persuasive; because Dujmenovic receives a first video signal on a first frequency and a second video signal on a second frequency, which are time division multiplexed by the tuner 110, does not mean that Dujmenovic does not disclose the claimed invention; as a matter of fact, item 114 of Dujmenovic discloses the claimed limitation, because item 114 receives an encoded video signal which is a time division multiplexed of video signals at its input which is considered as the first input as claimed and presents a decoded video signal at its output which is considered as the first output as claimed.

Applicants argue on pages 11-15 of the REMARKS that Dujmenovic does not disclose or suggest -a second circuit configured to receive said decoded video signal at a second input and to present (i) a first video output signal having a first resolution at a second output and (ii) a second video output signal having a second resolution at a third output, wherein said first video output signal and said second video output signal are

generated in response to said decoded video signal- because “the Office Action fails to explain where Dujmenovic discloses or suggests both (i) **a second output**, at which the first video output signal having the first resolution is presented, AND (ii) **a third output**, at which the second video output signal having the second resolution is presented, as presently claimed”. These arguments are not persuasive; because the Office Action clearly points out CH1 for part (i) as claimed, and CH2 for part (ii) as claimed; CH1 is a first video output signal (first image) having a first resolution at a second output (the window where CH1 is displayed at a first resolution is considered as **the second output**, see col. 6 lines 1-5), and CH2 is a second video output signal (second image) having a second resolution at a third output (the window where CH2 is displayed at a second resolution is considered as **the third output**, see col. 6 lines 1-5).

Applicants argue on page 16 of the REMARKS that -no motivation or suggestion has been shown in the Office Action for the combination of Dujmenovic and Abe- These arguments are not persuasive; the Office Action has provided motivation for the modification, because Dujmenovic shows a display device that can display video signals simultaneously and Abe shows a scaler circuit used for purpose of scaling video signals in order to provide them simultaneously on a display device, as already stated in the Office Action; thus, motivation is clearly provided.

JWD